

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JUDICIAL WATCH, INC.,**

**Plaintiff,**

**v.**

**COMMONWEALTH OF  
PENNSYLVANIA, *et al.*,**

**Defendants.**

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**No. 1:20-CV-0708**

**(JUDGE CONNER)**

**DEFENDANTS LUZERNE COUNTY COUNCIL, TIM MCGINLEY  
AND SHELBY WATCHILLA’S MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Luzerne County Council, Tim McGinley and Shelby Watchilla (“Luzerne County Defendants”), by and through their undersigned counsel, respectfully request that this Court dismiss as to them Count I of the First Amended Complaint filed by Plaintiff Judicial Watch, Inc. The grounds for granting the instant Motion to Dismiss are set forth in detail in Luzerne County Defendants’ supporting brief which will be filed in accordance with Middle District of Pennsylvania Local Rule 7.5.

**WHEREFORE**, Luzerne County Defendants respectfully request this Court grant their Motion to Dismiss.

Respectfully submitted,

/s/ John G. Dean

John G. Dean

**ELLIOTT GREENLEAF, P.C.**

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Attorney for Defendants Luzerne  
County Council, Tim McGinley and  
Shelby Watchilla

DATED: January 31, 2022

**CERTIFICATE OF SERVICE**

I, John G. Dean, hereby certify that I have caused to be served on this day a true and correct copy of Luzerne County Defendants' Motion to Dismiss via ECF on all counsel of record.

DATED: January 31, 2022

/s/John G. Dean

John G. Dean